

Message

---

**From:** Beck, Nancy [Beck.Nancy@epa.gov]  
**Sent:** 4/26/2019 1:49:35 PM  
**To:** Wittenberg, Nicholas [wittenberg.nicholas@epa.gov]; Bertrand, Charlotte [Bertrand.Charlotte@epa.gov]; Baptist, Erik [Baptist.Erik@epa.gov]  
**CC:** Keigwin, Richard [Keigwin.Richard@epa.gov]; Messina, Edward [Messina.Edward@epa.gov]; Barber, Delores [barber.delores@epa.gov]; Syed, Hamaad [Syed.Hamaad@epa.gov]; Ingram, Earl [Ingram.Earl@epa.gov]  
**Subject:** RE: OCSPP - Equity Notification - Farmworkers Justice - Civil Action No. 18-02293; EPA-HQ-2018-002879 - Production 11

Seems fine to me.  
Thanks.

•  
\*\*\*\*\*

Nancy B. Beck, Ph.D., DABT  
Principal Deputy Assistant Administrator  
Office of Chemical Safety and Pollution Prevention  
P: 202-564-1273  
[beck.nancy@epa.gov](mailto:beck.nancy@epa.gov)

---

**From:** Wittenberg, Nicholas  
**Sent:** Tuesday, April 23, 2019 4:42 PM  
**To:** Bertrand, Charlotte <Bertrand.Charlotte@epa.gov>; Beck, Nancy <Beck.Nancy@epa.gov>; Baptist, Erik <Baptist.Erik@epa.gov>  
**Cc:** Keigwin, Richard <Keigwin.Richard@epa.gov>; Messina, Edward <Messina.Edward@epa.gov>; Barber, Delores <barber.delores@epa.gov>; Syed, Hamaad <Syed.Hamaad@epa.gov>; Ingram, Earl <Ingram.Earl@epa.gov>  
**Subject:** OCSPP - Equity Notification - Farmworkers Justice - Civil Action No. 18-02293; EPA-HQ-2018-002879 - Production 11

Good Afternoon Charlotte, Nancy, and Erik,

Before we send out the Awareness Notification Email under the new guidelines as detailed in the FOIA Efficiency Memo we are sending this OCSPP Notification Review Email.

Please find the link below for the December 2018 production for the *Farmworker Justice and Earthjustice v. U.S. Environmental Protection Agency*, (Civil Action No. 18-02293; ED\_001800; EPA-HQ-2018-002879) lawsuit (Worker Protection Standard/Pesticide Cert Rules FOIA). This is the 11th Production for this matter that is currently in litigation.

[https://usepa-my.sharepoint.com/:b:/g/personal/wittenberg\\_nicholas\\_epa\\_gov/Ec1wsWSJnfxHtqoZ4WinNOUByfsKSIF1rwYxFyANn4g-oGA?e=6yPS18](https://usepa-my.sharepoint.com/:b:/g/personal/wittenberg_nicholas_epa_gov/Ec1wsWSJnfxHtqoZ4WinNOUByfsKSIF1rwYxFyANn4g-oGA?e=6yPS18)

- **Scope of the Request:** The produced documents should be responsive to data category #4 of the attached FOIA request, which includes, “Any emails, calendar entries, correspondence, and government records reflecting meetings or planned meetings from January 20, 2017 to the date of this request between [8 custodians] with the employees, members, officials or contractors of the following entities, or entities who have been represented by the following entities.”

a. The American Farm Bureau Federation

- b. The National Association of State Departments of Agriculture ("NASDA")
- c. Association of American Pesticide Control Officials ("AAPCO")
- d. CropLife America
- e. National Council of Agricultural Employers ("NCAE")
- f. National Agricultural Aviation Association ("NAAA")
- g. Oregonians for Food and Shelter
- h. State-based Farm Bureau associations
- i. State departments of agriculture

**Description of the Production:** This proposed production includes **11 documents** (33 pages).

- **We have asserted the personal privacy privilege over documents containing cell phone numbers and deliberative process privilege over a few documents that contain internal drafts of statements.**

If you would like to access the documents on Relativity, please let me know and I will ask eDiscovery Services to grant you reviewer's rights. The workspace is ED 001800 EPA-HQ-2018-002879 Farmworker Justice.

**DEADLINE FOR REVIEW:** Pursuant to an agreement with the Plaintiff, EPA will be making the production on **Tuesday, May 30, 2019**. Thus, please provide me with your final comments on the proposed production by **Friday, April 26, 2019**, so that we can then send of the Awareness Review Email to the entire identified group.

Thank you for your attention on this matter.

All the best,  
Nick

Nicholas Wittenberg  
Attorney-Advisor  
United States Environmental Protection Agency  
Office of Pesticide Programs  
Information Technology & Resources Management Division  
Public Information & Records Integrity Branch  
1200 Pennsylvania Avenue, NW (MC 7502P)  
Washington, D.C. 20460  
Phone: (703) 347-8875  
Email: wittenberg.nicholas@epa.gov